

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
for the

GLEND A SUE GARDNER, individually and as  
personal representative of the Estate of JACOB  
GADRNER, and DAVID GARDNER

*Plaintiff(s)*

v.

FREDERICK D. FRANKLIN, DONALD W. KLEINE,  
DOUGLAS COUNTY ATTORNEY'S OFFICE,  
DOUGLAS COUNTY, NEBRASKA, and DOES 1 & 2

*Defendant(s)*

Civil Action No. 4:21-cv-03145

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Donald W. Kleine  
1701 Farnam Street #100  
Omaha, NE 68183

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Plaintiff's attorney: John M. Pierce; Pierce Bainbridge, P.C., 355 S. Grand Ave., 44th Floor, Los Angeles, CA 90071; Phone: 213-400-0725; Email: jpierce@piercebainbridge.com.

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

  
Signature of Clerk or Deputy Clerk



Date: 8/9/2021

Civil Action No. 4:21-cv-03145

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_ .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

District of Nebraska

GLEND SUE GARDNER, Individually and As  
Personal Representative of The Estate of JACOB  
GARDNER, and DAVID GARDNER,

*Plaintiff(s)*

v.

FREDERICK D. FRANKLIN, DONALD W. KLEINE,  
DOUGLAS COUNTY ATTORNEY'S OFFICE,  
DOUGLAS COUNTY, NEBRASKA, and DOES 1 & 2,

*Defendant(s)*

Civil Action No. 4:21-cv-03145

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Frederick D. Franklin  
Criminal Division  
1701 Farnam Street  
Hall of Justice, Suite # 100  
Omaha, NE 68183

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

John M. Pierce  
Pierce Bainbridge P.C.  
355 S. Grand Avenue, 44th Floor  
Los Angeles, CA 90071  
(213) 400725  
jpierce@piercebainridge.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

  
Signature of Clerk or Deputy Clerk



Date: 8/9/2021

Civil Action No. 4:21-cv-03145

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 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
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My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: